

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 8062

BILL NUMBER: HB 1829

DATE PREPARED: Mar 1, 2001

BILL AMENDED: Feb 27, 2001

SUBJECT: Abandoned Infants.

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FUNDS AFFECTED: X **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *(Amended)* This bill increases from 30 days to 45 days the maximum age of an abandoned infant that may be taken into custody without a court order. The bill provides that a parent who leaves an infant with an emergency medical services provider is not required to disclose the parent's name. The bill also requires a local child protective service that takes custody of an infant to contact the Missing Persons Clearing House to determine if the infant has been reported missing. It provides that, in custody hearings concerning an abandoned infant left with an emergency medical services provider, the emergency medical services provider is not required to be notified of custody proceedings. The bill also provides that the parent of an abandoned infant left with an emergency medical services provider is not required to be notified of custody proceedings. It also removes a rebuttable presumption that it is not in the best interests of a child to locate the child's parent or reunify the child's family if the child was left with an emergency medical services provider. The bill makes a technical correction regarding detention hearings and initial hearings in cases involving abandoned infants.

Effective Date: July 1, 2001.

Explanation of State Expenditures: *(Revised)* This bill expands the definition of an abandoned infant to a child who is or appears to be not more than 45 days of age. (Current law defines an abandoned infant as a child who is or appears to be not more than 30 days of age.) The bill also extends the period of time that a parent may abandon an infant with an emergency medical services provider from 30 days of age to 45 days of age. Potentially, the number of infants abandoned could increase although this result seems unlikely. The bill also specifies that a parent who leaves an infant with an emergency medical services provider is not obligated to disclose the parent's name. The bill also specifies that if the parent of an abandoned child does not disclose the parent's name, the parent is not required to be notified of disposition or custody proceedings. The bill also eliminates a rebuttable presumption that it is not in the best interest of the child to locate the child's parent or reunify the child's family if the child was left with an emergency services provider. These provisions could save the state administrative dollars by reducing the number of child abuse or neglect cases investigated and prosecuted as well as speeding the process of freeing the infant for adoption. The bill also requires a local child protective service that takes custody of an abandoned infant to contact the Indiana Clearinghouse on Missing Children, (administered by the State Police), to determine if the infant has been

reported missing. The Clearing house may be accessed via an 800 telephone number.

The ultimate impact of the bill will be determined by the number of infants that are abandoned and the circumstances surrounding the abandonment. The Division of Family and Children estimates that it provides assistance to 60 abandoned infants each year.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) The bill also specifies that a parent who leaves an infant with an emergency medical services provider is not obligated to disclose the parent's name. This provision could save the local courts administrative dollars by reducing the number of child abuse or neglect hearings. The provision regarding parental notification of custody hearings for abandoned infants is expected to have a minimal impact on courts with juvenile jurisdiction and local offices of the Division of Family and Children. This provision may decrease the length of time necessary to finalize an adoption of an abandoned infant. The bill also eliminates the requirement that the emergency services provider with whom an abandoned infant was left, be notified of custody hearings. The emergency service provider may be notified by the local Office of Family and Children and may be heard at the detention hearing. This provision relieves the local courts of an administrative duty.

Explanation of Local Revenues:

State Agencies Affected: The Family and Social Services Administration, Division of Family and Children.

Local Agencies Affected: Local courts with juvenile jurisdiction.

Information Sources: